

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 29403-5107
and
THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Office of Environmental Quality Control
Water Quality Certification and Wetlands Programs Section
2600 Bull Street
Columbia, South Carolina 29201

REGULATORY DIVISION
Refer to: P/N #2002-1G-293-C

25 OCTOBER 2002

Pursuant to Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et seq.) an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

BILL MATTOX
C/O THE EARTHWORKS GROUP
658 WACHESAW ROAD
MURRELLS INLET, SOUTH CAROLINA 29576

for a permit to place fill material in

JURISDICTIONAL WATERS OF THE U. S.

at a location, a 25-acre tract of land off of Forestbrook Road, directly across from Ed Smith Avenue near the intersection of Forestbrook Road and Roberta Lane. From the intersection of Old Highway 544 and Forestbrook Road go northeast approximately one mile. Sugar Mill Plantation is located on the left, in Horry County, South Carolina (Latitude 33.70473° - Longitude -78.99484°).

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, 25 NOVEMBER 2002

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of placing fill material in 0.92 acres of jurisdictional waters of the U. S. and performing excavation in 0.048 acres of jurisdictional waters of the U. S. for stormwater management and development of the site. As mitigation for the proposed work the applicant proposes to provide 6.3 credits of off-site mitigation. The purpose of the proposed work as stated by the applicant is "to create a high quality residential real estate project that significantly enhances the market value of the property."

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be

25 OCTOBER 2002

provided for mailing the drawings to you. Your request for drawings should be addressed to the

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, South Carolina 29403-5107.**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions of the South Carolina Coastal Zone Management Act (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to State certification must submit all comments in writing to the S.C. Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact 0.97 acres of Waters of the U. S. inland of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined that the project will have no effect on any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed endangered or threatened species or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

The District Engineer has consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. Consultation of the National Register constitutes the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of such resources. Presently unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection,

25 OCTOBER 2002

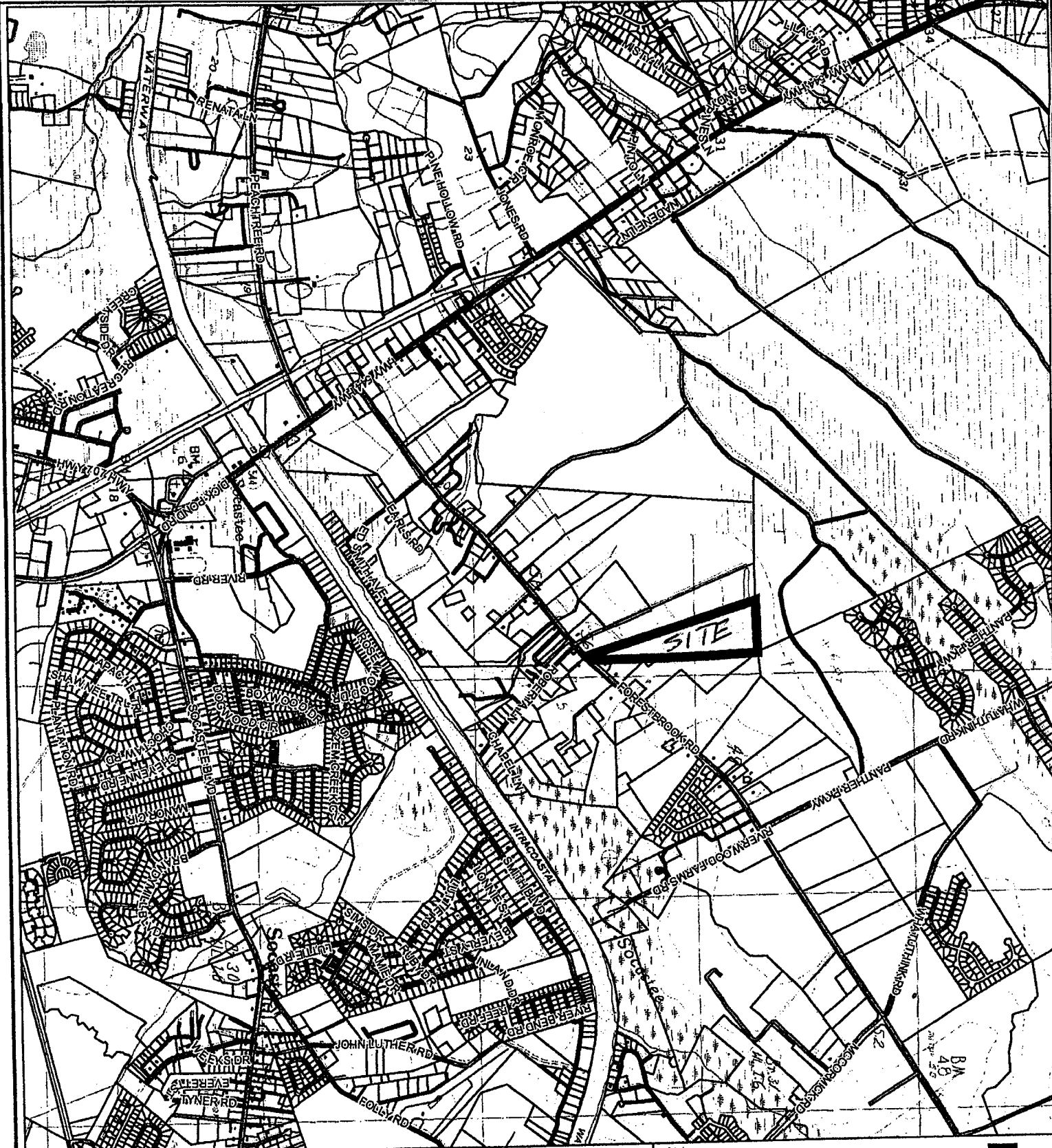
Research and Sanctuaries Act of 1972, as amended. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.




If there are any questions concerning this public notice, please contact me at 843-329-8044 or toll free at 1-866-329-8187.



Mary Hope Glenn
Project Manager
Regulatory Division
U.S. Army Corps of Engineers



Legend

-  Sugarmill Plantation
-  2000 Centerline Data
-  2000 Parcel Data

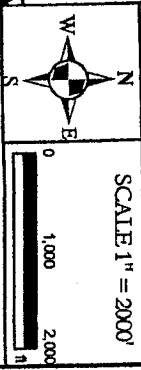
Parcel Center Located
78°59'40.87" W by 33°42'15.14" N

SHEET 1 OF 6

SUGARMILL PLANTATION SITE VICINITY MAP

Horry County
SOUTH CAROLINA
MYRTLE BEACH QUADRANGLE
2000 Parcel and Centerline Data Courtesy
Horry Co. GIS Dept. USGS Topographic
Quadrangle DRG Imagery Courtesy SCDNR

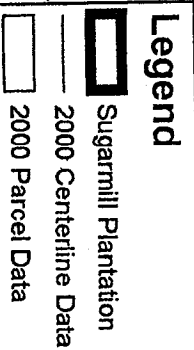
SCALE 1" = 2000'



Prepared For:

USACOE
69-A Hargood Ave
Charleston, SC 29403-8044

PN# 2002-16-293



Sugarmill Plantation

2000 Centerline Data

2000 Parcel Data

Parcel Center Located
78°59'40.87" W by 33°42'15.14" N

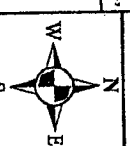
SHEET 2 OF 6

SUGARMILL PLANTATION SITE TMS MAP

HORRY COUNTY
SOUTH CAROLINA
BROOKGREEN QUADR

BROOKGREEN QUADRANGLE

2000 Parcel and Centerline Data Courtesy
Horry Co. GIS Dept USGS Topographic
Quadrangle DRG Imagery Courtesy SCDNR



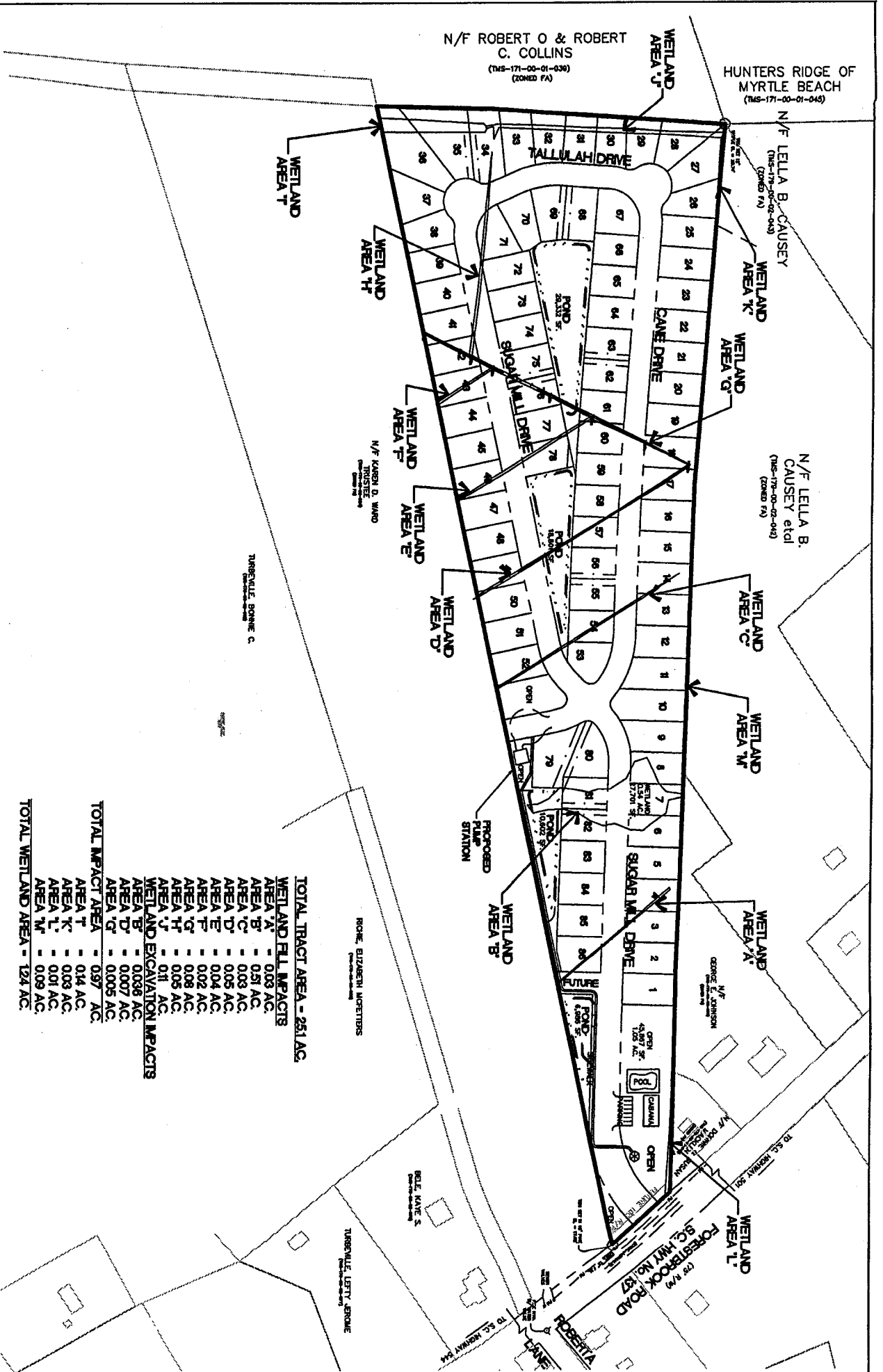
SCALE 1" = 500'

Prepared For:

ISACOF

69-A Haygood Ave
Charleston, SC 29403-8044

PN# 2002-16-293



TOTAL TRACT AREA - 251 AC.

WETLAND FILL IMPACTS

AREA 'A'	- 0.03 AC.
AREA 'B'	- 0.51 AC.
AREA 'C'	- 0.03 AC.
AREA 'D'	- 0.05 AC.
AREA 'E'	- 0.04 AC.
AREA 'F'	- 0.02 AC.
AREA 'G'	- 0.06 AC.
AREA 'H'	- 0.05 AC.
AREA 'I'	- 0.11 AC.
AREA 'J'	- 0.03 AC.
AREA 'K'	- 0.03 AC.
AREA 'L'	- 0.01 AC.
AREA 'M'	- 0.09 AC.
AREA 'N'	- 0.09 AC.
AREA 'O'	- 0.09 AC.
AREA 'P'	- 0.09 AC.
AREA 'Q'	- 0.09 AC.
AREA 'R'	- 0.09 AC.
AREA 'S'	- 0.09 AC.
AREA 'T'	- 0.09 AC.

WETLAND EXCAVATION IMPACTS

AREA 'A'	- 0.03 AC.
AREA 'B'	- 0.51 AC.
AREA 'C'	- 0.03 AC.
AREA 'D'	- 0.05 AC.
AREA 'E'	- 0.04 AC.
AREA 'F'	- 0.02 AC.
AREA 'G'	- 0.06 AC.
AREA 'H'	- 0.05 AC.
AREA 'I'	- 0.11 AC.
AREA 'J'	- 0.03 AC.
AREA 'K'	- 0.03 AC.
AREA 'L'	- 0.01 AC.
AREA 'M'	- 0.09 AC.
AREA 'N'	- 0.09 AC.
AREA 'O'	- 0.09 AC.
AREA 'P'	- 0.09 AC.
AREA 'Q'	- 0.09 AC.
AREA 'R'	- 0.09 AC.
AREA 'S'	- 0.09 AC.
AREA 'T'	- 0.09 AC.

TOTAL IMPACT AREA - 0.97 AC.

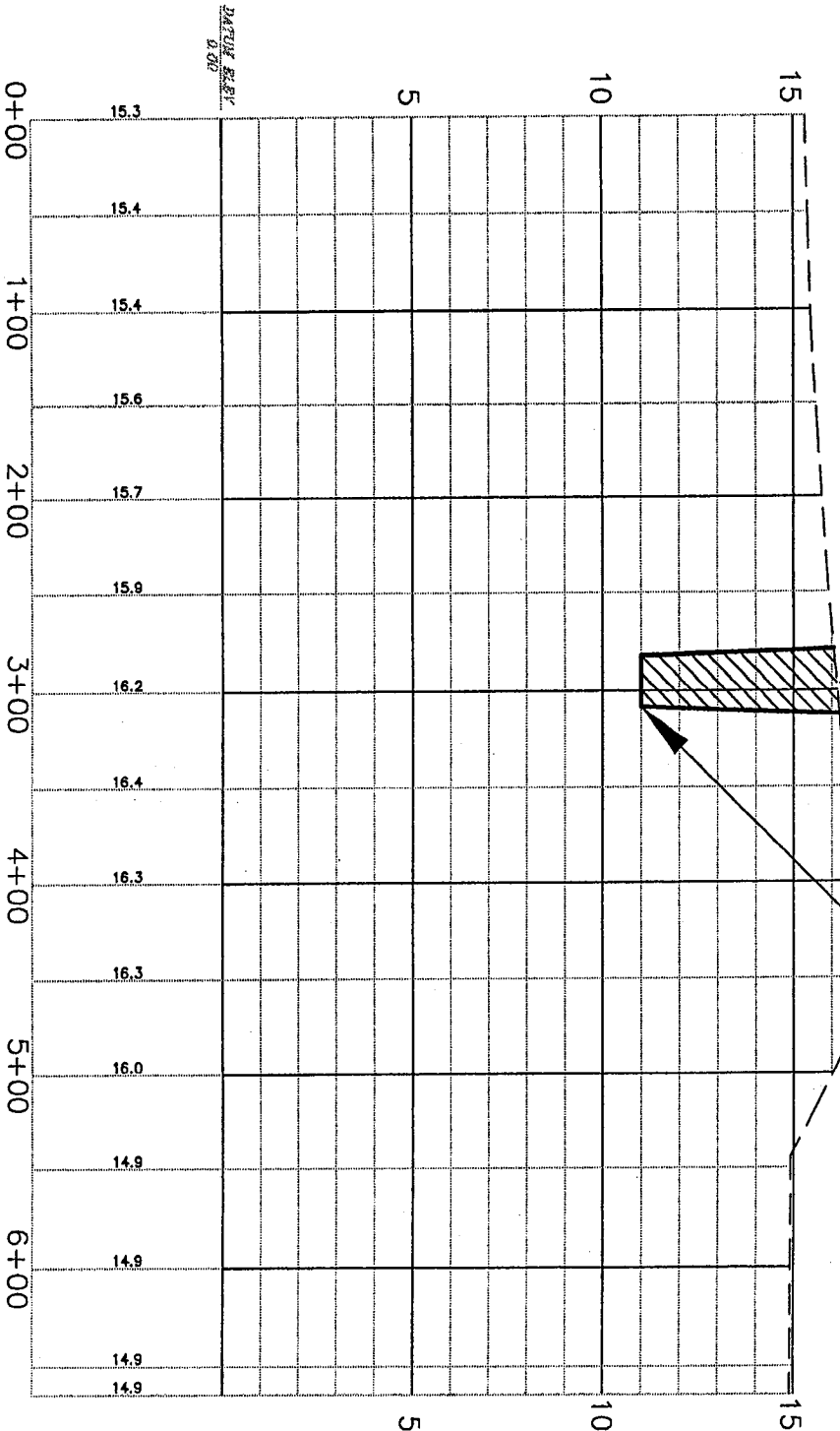
TOTAL WETLAND AREA - 124 AC.

Project Title: SUGAR MILL WETLAND MASTER PLAN		Project Location - FORESTBROOK ROAD Horry County, South Carolina		Date: 9 AUG 02	Scale: 1" = 300'
Applicant - BILL MATTOX		Application # 2002-1G-293		Sheet 3 of 6	

Date	Initials
10/3/02	JRH

**PROPOSED WETLAND
EXCAVATION (27.3 CY)**

**BOTTOM POND
DEPTH**



GENERAL WETLAND AREA "G" - SECTION

SCALE: 1" = 100' HORIZ.
1" = 50' VERT.

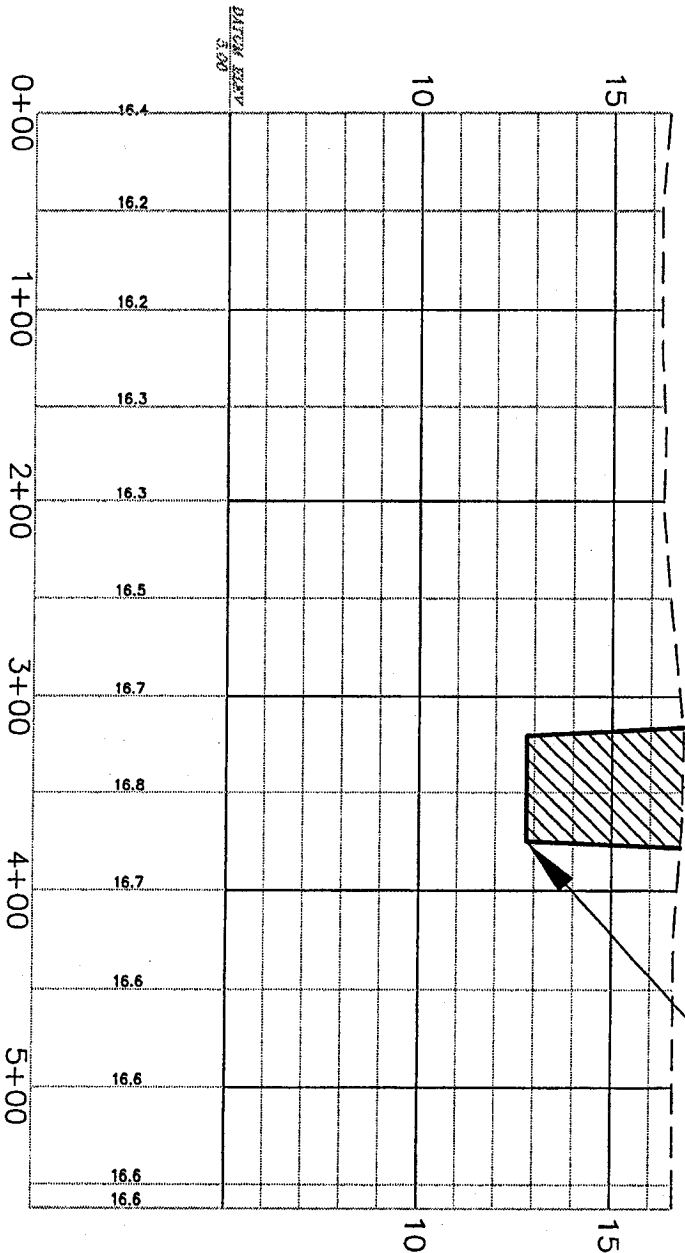
Project Title: SUGAR MILL
WETLAND MASTER PLAN

Project Location - FORESTBROOK ROAD HORRY COUNTY, SOUTH CAROLINA	Date: 2 OCTOBER 2002	Scale: AS SHOWN
Applicant - BILL MATTOX	Application # 2002-1G-293	Sheet 4 of 6

Revisions
Date Initials

**PROPOSED WETLAND
EXCAVATION (54 CY)**

**BOTTOM POND
DEPTH**



GENERAL WETLAND AREA "D" - SECTION

SCALE: 1" = 100' HORIZ.
1" = 50' VERT.

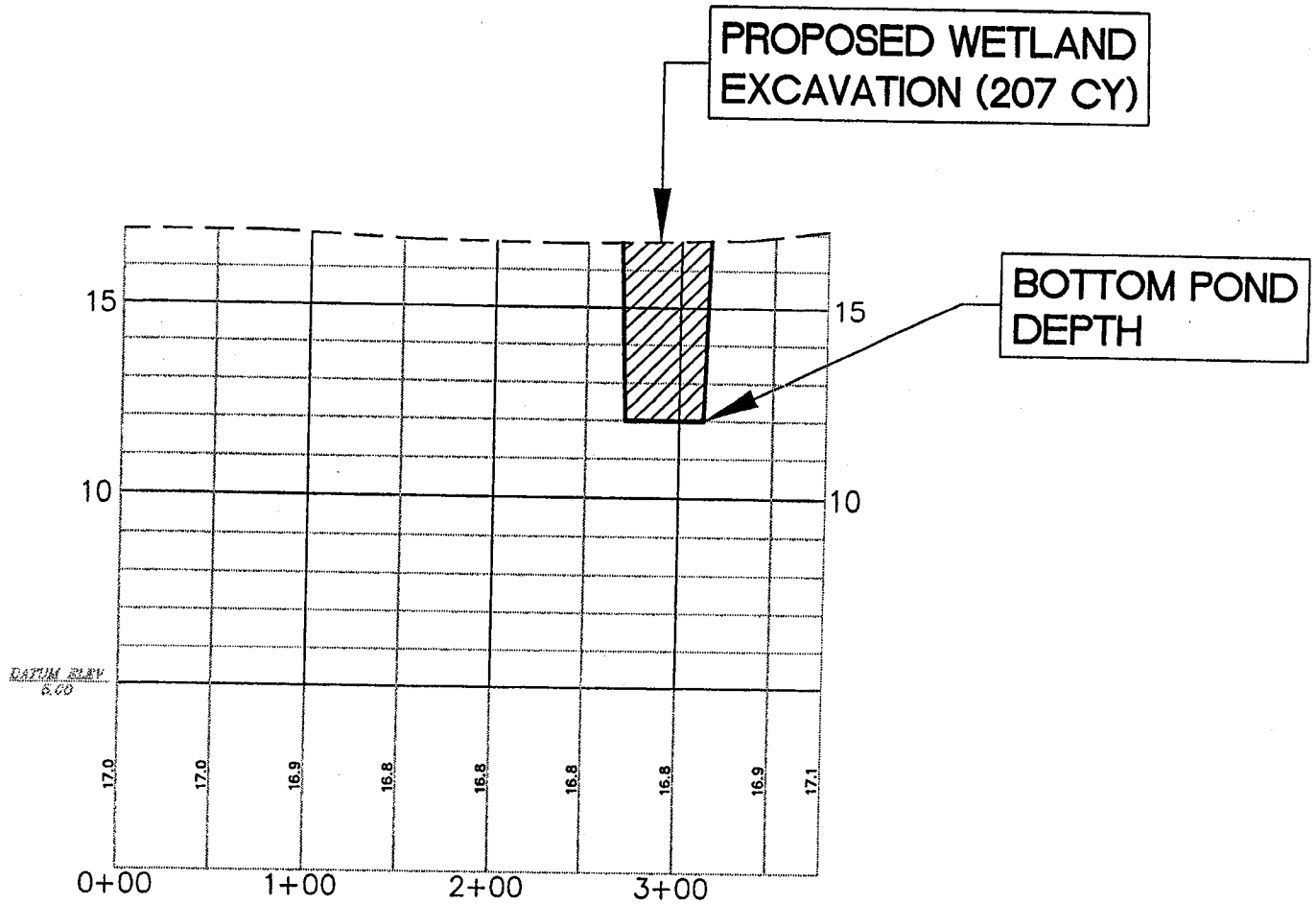
Project Title: SUGAR MILL
WETLAND MASTER PLAN

Project Location - FORESTBROOK ROAD
HORRY COUNTY, SOUTH CAROLINA
Applicant - BILL MATTOX

Date: 2 OCTOBER 2002
Application #
2002-1G-293

Scale: AS SHOWN
Sheet 5 of 6

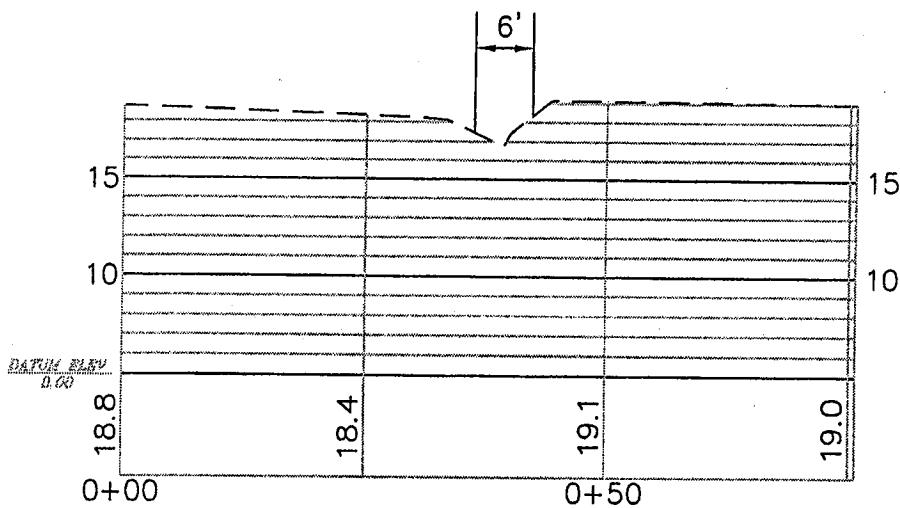
Revisions
Date Initials



GENERAL WETLAND AREA "B" - SECTION

SCALE: 1" = 100' HORIZ.

1" = 50' VERT.



TYPICAL DITCH WETLAND AREA - SECTION

SCALE: 1" = 20' HORIZ.

1" = 10' VERT.

Applicant - BILL MATTOX	Revisions Date Initials		
Project Title: SUGAR MILL WETLAND MASTER PLAN		Date: 2 OCTOBER 2002	Scale: AS SHOWN
Project Location - FORESTBROOK ROAD HORRY COUNTY, SOUTH CAROLINA		Application #: 2002-1G-293	Sheet 6 of 6

PN# 2002-16-293

Bill Mattox
SugarMill

Required Mitigation Credits Sample Worksheet

Factor	Wetland A Fill	Wetland A Excavation	Ditch Fill	Ditch Excavation	Area 5	Area 6
Lost Type	2.0	2.0	0.2	0.2		
Priority Category	0.3	0.3	0.3	0.3		
Existing Condition	0.1	0.1	0.1	0.1		
Duration	2.0	2.0	2.0	2.0		
Dominant Impact	3.0	1.5	3.0	1.5		
Cumulative Impact	0	0	0	0		
Sum of r Factors	$R_1 = 7.4$	$R_2 = 5.9$	$R_3 = 5.6$	$R_4 = 4.1$	$R_5 =$	$R_6 =$
Impacted Area	$AA_1 = 0.51$	$AA_2 = 0.03$	$AA_3 = 0.41$	$AA_4 = 0.012$	$AA_5 =$	$AA_6 =$
$R \times AA =$	3.8	0.18	2.3	0.05		

Total Required Credits = $\Sigma (R \times AA) =$

6.3

14.2. Enhancement by Buffering Credits for Wetlands

14.2.1. Enhancement by Buffering. If the buffer zone meets the requirements specified below, a portion of the buffered aquatic site will qualify for enhancement credit. Both the buffer and the buffered aquatic area must be preserved through acceptable restrictive covenants or other approved protective measures (except in the case of publicly owned waters such as streams/ivers). Buffers will not be given direct enhancement credits. **No more than half of required non-preservation credits (from restoration, creation, and/or enhancement) may be generated through buffering.** Buffer credits exceeding this cap will be considered as preservation credits. SCDHEC/OCRM master planned projects may be exempt from this requirement on a case-by-case basis as determined by SCDHEC and the Corps.

14.2.2. Qualitative Considerations. The following issues should be considered when evaluating buffers in terms of the overall quality and general acceptability of a mitigation plan.

- In order to assure that buffers serve the intended use in perpetuity, they must be protected by covenants, easements, or other approved measures. Buffers without acceptable protective measures will not be included in calculation of credits.
- Buffers or portions of buffers may be excluded from calculation of credits if their contribution to system integrity is of questionable value due to shape, condition, location, inadequate or excessive width, or other reasons (e.g. around drained wetlands which require restoration to maintain hydrologic viability).